



PATENT

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February 13, 2004

Date

Denise Sheridan

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/040,923

Confirmation No. : 3782

Applicants : Stephen Martone et al.

Filed : January 4, 2002

Attorney Docket No.: 501060.01

Art Unit : 3736

Customer No. : 27,076

Examiner : Jonathan M. Foreman

Title : ENDOSCOPE SHEATH ASSEMBLIES HAVING AN ATTACHED BIOPSY
SAMPLING DEVICE

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

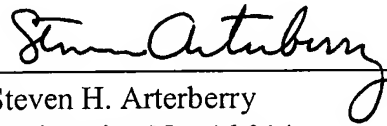
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TECHNOLOGY CENTER R3700

In response to the Office Action of January 15, 2004, applicants hereby elect the claims directed to Figure 10, namely claims 1-2, 7-8, 10, 12-23, 25, 28, 30-39, and 41-54. Applicants understand that the remaining claims will be allowed if the generic claims from which they depend are allowed.

In view of the above election, applicants hereby withdraw claims 2-6, 9, 11, 24, 26-27, 29, 40 and 55-58 without prejudice to the filing of any divisional, continuation, or continuation-in-part application. Consideration of the elected claims is now requested.

Respectfully submitted,

DORSEY & WHITNEY LLP

A handwritten signature in black ink, appearing to read "Steven Arterberry", is written over a horizontal line.

Steven H. Arterberry
Registration No. 46,314

Enclosure:

Postcard

Fee Transmittal Sheet (+copy)

1420 Fifth Avenue, Suite 3400

Seattle, Washington 98101

Tele: (206) 903-8800

Fax: (206) 903-8820

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